

MULTIMEDIA



UNIVERSITY

STUDENT ID NO

--	--	--	--	--	--	--	--	--	--

MULTIMEDIA UNIVERSITY

FINAL EXAMINATION

TRIMESTER 1, 2017/2018

UCS2612 CONSUMER LAW

(All Sections / Groups)

26 OCT 2017

Reading Time : 2.30 p.m. – 2.45 p.m.
(15 Minutes)

Answering Time: 2.45p.m. – 5.45 p.m.
(3 Hours)

INSTRUCTIONS TO STUDENT

1. Students will have **fifteen minutes** during which they may read the paper and make rough notes **ONLY** in their question paper. Students then have the remaining **THREE HOURS** in which to answer the questions.
2. This Question paper consists of 2 pages with 5 Questions only.
3. Attempt **FOUR** out of FIVE questions. All questions carry equal marks and the distribution of the marks for each question is given.
4. Students are not allowed to bring in any statute into the Examination Hall.
5. Please write all your answers in the Answer Booklet provided.

QUESTION 1

A shampoo manufacturer, Vida Sdn. Bhd. had marketed a product called "MOISY" and the shampoo does nothing more than to moisturise one's hair. Following the recent curly hair trend, the manufacturer decided to change the packaging and name. The packaging is now more attractive and its name is changed to "BOUNCY CURLS". A few customers complained that the shampoo was ineffective and that they suffered scalp irritation from the use of the shampoo.

Further, the manufacturer also advertised to sell a special facial sponge at MYR5.00 with no intention of honouring the advertisement. A customer went to the store to purchase the special facial sponge upon seeing the advertisement. However, much to the customer's dismay, it was out of stock and instead the customer was introduced to a different facial sponge at MYR10.00.

Advise Vida Sdn. Bhd. on the liability that may arise from the situations above.

(Total: 25 Marks)

QUESTION 2

Explain the procedure for filing and registration if a consumer decides to make a claim under the Consumer Protection Act (CPA) 1999.

(Total: 25 Marks)

QUESTION 3

Amidala and Luke saw an advertisement published in a magazine that some limited edition Star Wars figurines were up for sale at MYR500. Excited, they drove to the store to get their hands on the Star Wars figurines. At the store, they purchased the said figurine and went back home to play with them.

At home, as they were playing their figurines, one of the figurines broke into two. They were surprised to see it broken as they were told that the materials used to make the figurines were metal. Upon inspection, they found out that the materials were actually plastic. Luke decided to do some research on the figurines on the Internet and found out that the figurines sold were not the limited edition Star Wars figurines the advertisement claimed to be, but instead, were just another edition of figurines produced in bulk.

Luke and Amidala were infuriated and decided to return the figurines to the store. Amidala took out the receipt of payment only to realise that the store overcharged them for the figurines. They were charged MYR550 and not MYR500.

Advise Luke and Amidala.

(Total: 25 Marks)

Continued...

QUESTION 4

Explain product liability in the context of law of Torts in Malaysia by making reference to the tests required in determining manufacturers' liability and cases.

(Total: 25 Marks)

QUESTION 5

Explain the following as envisaged under the Consumer Protection Act of Malaysia (CPA) 1999:

- a) Power of court to grant ancillary relief (7 marks)
- b) Prohibition to supply, offer to supply or advertisement for supply of any goods which are "not reasonably safe", (9 marks)
- c) Defences available for failure to comply with safety standards. (9 marks)

(Total 25 Marks)

End of page.